

WISCONSIN STATE ASSEMBLY



PEGGY KRUSICK
STATE REPRESENTATIVE

To: Assembly Committee on Urban and Local Affairs
From: Peggy Krusick, Jeff Stone, Tim Carpenter and Alberta Darling
Date: February 28, 2012
Subject: Assembly Bill 569
Helping Wisconsin Cities Collect Unpaid Parking Tickets

The Bill

Permits a municipality to enact an ordinance to allow for the booting or towing and impounding of vehicles owned by habitual parking violators that are legally or illegally parked on publicly owned or leased property. Vehicles would be subject to booting if all of the following conditions are met:

- the owner has 3 or more unpaid parking tickets that are all at least 28 days old.
- the tickets have not been paid or a court appearance has not been scheduled.
- at least one warning for each ticket has been sent to the owner's last known address.

Requires a notice to be conspicuously placed on a booted vehicle that, among other things, explains how to get the boot removed or provides a toll-free number at which someone can provide this information 24 hours a day.

Prohibits ticketing a booted vehicle in time-limited, legal spaces, within 4 hours of booting or during times when the clerk of courts is not open to arrange for a court appearance.

Requires a booted or towed and impounded vehicle to be released once the owner pays any fees for boot removal or towing and impounding, and either schedules a court appearance or pays all unpaid parking tickets that are at least 28 days old.

Requires a boot to be removed within 3 hours after the requirements for release have been met.

Rationale

Unpaid parking tickets are a major source of revenue loss for cities. The City of Milwaukee, for example, is owed \$32.6 million from habitual parking violators with three or more citations. These millions belong in taxpayers' coffers, not scofflaws' pockets.

Booting is cheaper and faster than towing. Boot release fees typically range between \$50-\$60. Whereas standard towing fees range from \$90 to \$150 plus daily storage costs. Some outstanding tickets are difficult to collect because the violators are from outside the state. Car booting will keep these vehicles in place until the violators pay their debts.

Supporters

League of Wisconsin Municipalities

Assembly Bill 569: Relating to the Immobilization or Removal, Impoundment and Disposal of Motor Vehicles for Nonmoving Traffic Violations (aka Parking Scofflaw Bill)

Shirley Krug, City of Milwaukee, Department of Public Works
Administrative Services Director

Background

AB 569 is the result of the City of Milwaukee Debt Reduction Task Force, chaired by Alderman Terry Witkowski. A number of recommendations emerged from the Task Force to assist the City in its efforts to collect millions of dollars of unpaid debt.

Goals

- To improve collections from repeat parking scofflaws. Current parking ticket debt is \$56.3 million.
- To improve collection of parking ticket debt owed by out-of-state residents, estimated to be \$4.4 million (7.8%).
- To collect or to schedule to adjudicate open citations on 110,813 license plates (in-state and out-of-state) that have 3 or more open citations 28 days overdue valued at \$40.8 million.
- To reduce the City's reliance on property taxes and intergovernmental aid.
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Key Points

AB 569 is permissive and authorizes communities to enact ordinances to allow for the towing or immobilization (booting) of illegally or legally parked cars with three or more unpaid parking tickets, issued more than 28 days prior to towing or booting, and for which the car owner has not made arrangements to pay the tickets.

The municipality or county must mail at least one notice to the owners last known address for each parking ticket owed describing the manner in which the ticket may be paid or contested and must include notice that the car may be towed or immobilized if there are three or more outstanding tickets over 28 days for which the owner has not made arrangements for payment.

A highly visible notice must be attached to the car if the vehicle is immobilized describing the reason for the device and that includes a phone number accessible 24 hours per day that details the fees owed for removal of the device. The owner may pay the fees associated with the boot and either pay the unpaid tickets or make arrangements for payment.

The bill also provides guidance for impoundment of the vehicle if the requirements are not satisfied in a timely manner.

*Local governments may determine if the threshold to tow or boot legally parked cars should exceed three unpaid tickets.

*Local governments may determine the process and fee required to release the immobilization devices.

*Depending upon the specific booting program implemented by the local unit of government, booting may be less onerous and expensive than towing scofflaws.